

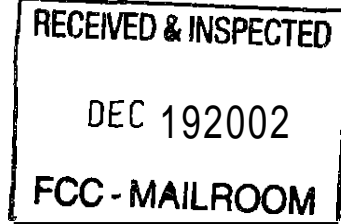
YESHIVA TZEMACH TZADIK VIZNITZ

186 ROSS STREET BROOKLYN NY 11211 (718) 782-6383 FAX (718)302-5301

Letter of Appeal

December 16, 02

Federal Communications Commission
Office of the Secretary
445 12th Street, SW Room TW-A325
Washington, D.C. 20554



Re: CC Docket Nos. 96-45 and 97-21

Entity # 156405
471 Application # 256095
FRN Numbers: 639136,639171,639193,
639246,639283,639324,
639365,639392,639413,
639452.and 639477

DOCKET FILE COPY ORIGINAL

Funding Year: 7/1/2001-6/30/2002

We are appealing the denial of an appeal that our school submitted to the Schools and Libraries Division of USAC. The appeal was in regard to a change in the discount level our school received for items and services applied for in our Funding year 4, 7/1/2001-6/30/2002 E-Rate form 471 application number 222167.

On the form 471 we indicated that our school was eligible for a 90% discount based on greater than 75% of our students being eligible for the National School Lunch Program.

The impact of the change in discount was that we received a 80% discount instead of a 90% discount on telecommunication funding. And we were totally denied all internal connection funding because, as indicated on the Funding Commitment Decision Letter, the funding cap did not provide for internal connections for schools with less than an 90% discount level.

After receiving the funding commitment decision letter with the modified discount level we reviewed the information that ~~we~~ had provided during the Program Integrity Assurance (PIA) period of the application process. We also contacted other schools in our community and discovered that many schools have had a similar problem and that the problem is based on misleading information contained in the Form SA-603 "Monthly Claim for Reimbursement National School Lunch Program" which ~~is~~ used by all Provision 2 schools.

No. of Copies rec'd
List ABOVE

0

YESHIVA TZEMACH TZADIK VIZNITZ

186 ROSS STREET BROOKLYN NY 11211 (718)782-6383 FAX (718)302-5301

As part of the PIA process we were asked to provide documentation supporting the discount level we indicated we were eligible for:

Since student eligibility for the National School Lunch Program is one of the methods to determine discount level eligibility we provided the PIA reviewer with a copy of our Form SA-603 "Monthly Claim for Reimbursement National School Lunch Program".

The Form SA-603 "Monthly Claim for Reimbursement National School Lunch Program" is the only form used in conjunction with the NSLP and is the form through which we receive our reimbursements.

Yeshiva Jesoda HaTorah, which had the same problem as ours did research into the problem and provided the following information.

In examining the form they realized that the format of the form is very misleading in that the number of children listed in the "approved" columns (D&E) was not accurate based on the current student population.

At that point they contacted the Board of Jewish Education (BJE), the agency that files their claims for reimbursement for the National School Lunch Program, to ask for an explanation.

The BJE explained that on the form SA-603 Provision 2 Schools like ours are required to always list the quantity of approved students from the "Base" year of the school election to Provision 2.

Since the current total enrollment column lists the actual current student population but the approved columns (D&E) listed the approved number from an earlier year, the "Base" year, when the enrollment was lower, a ratio made from these numbers produces an inaccurate percentage of approved students to total enrollment.

The misleading format of the SA-603 was subsequently recognized by the State Education Department / The University Of The State Of New York Child Nutrition Reimbursement Unit. Please see the Attached letter from Richard Connell, Supervisor. Child Nutrition Reimbursement Unit, which verifies what the BJE's explanation.

Child Nutrition Reimbursement Unit now has a website, which lists the percentage of eligible students on a school-by-school basis.

In our appeal to the SLD we provided a copy of a report from the Child Nutrition Reimbursement Unit's website which showed that 97.7% of our students were eligible for NSLP for the period of time referred to on the Form

YESHIVA TZEMACH TZADIK VIZNITZ

186 ROSS STREET BROOKLYN NY 11211 (718) 782-6383 FAX (718)302-5301

SA-603 "Monthly claim for Reimbursement National School Lunch Program" we had provided.

In their denial of our appeal the SLD stated that:

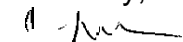
"You have stated on appeal that the discounts for the above listed funding requests were modified. *You* are submitting additional documentation on appeal as proof that you school qualifies for a 90% discount. You are requesting that the SLD issue a revised Funding Commitment Decision Letter and approve your funding requests at 90% discount level.

According to the information that was submitted during the PIA review process (fax dated 9/24/01), Yeshiva Tzemach Tzadik Viznitz qualifies for an e-rate discount of 80% since the Monthly Claim for Reimbursement shows: 183 enrollment and 106 students approved for **Free/Reduced** Lunch. Accordingly, your discount was modified. New information can only be accepted on appeal if an error was committed by the SLD. which is not the case. Consequently your appeal is denied."

We submitted the report from the Child Nutrition Reimbursement Unit's website in order to clarify the ambiguity of Form SA-603 "Monthly Claim for Reimbursement National School Lunch Program"; this is consistent with program rules. We did not provide "New information" we provided information that was consistent with and helped clarify the original information provided.

Based on the information presented herein we request that our appeal be granted and our discount percentage be change to 90% and the denied FRN(s) be approved for funding.

Sincerely,



Mrs. Lowen

Authorized Signature



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE
OF NEW YORK

Child Nutrition Reimbursement Unit, 510 West Education Building, Albany, New York 12234
Tel: (518) 474-3929
Fax: (518) 486-4889
<http://www.nysed.gov/cn/cnms.htm>

8/8/02

To: Joseph Lefkowitz
From: Richard Connell, Supervisor, Child Nutrition Reimbursement Unit
Subject: Yeshiva Yesode Hatorah, free and reduced eligibles

Yesterday, I had a conversation with Arthur Jacknis regarding **free** and reduced eligibility data that had been incorrectly reported for E-rate purposes. My understanding is that data as submitted on a May 2000 Lunch claim for Yeshiva Yesode Hatorah, were used to calculate the ratio office and reduced price eligibles to enrollment. Unfortunately, in this case, the use of raw claim data would result in an inaccurate calculation due to claim submission guidelines issued during that period.

Specifically, Yeshiva Yesode Hatorah was a Provision 2 school at the time. Under Provision 2, schools establish monthly counts of **free** and reduced meals in a base year (for Yeshiva Yesode Hatorah, the base year was 1992-93). The percentage distribution is then applied to subsequent year monthly claims. However, past claim procedures then advised schools to enter current enrollment on the subsequent claims, while also reporting their base year eligibles. Consequently, any comparison of eligibles to enrollment would produce inaccurate results.

We discovered this problem during the course of designing and constructing the Child Nutrition Management System (CNMS) and have since adjusted eligibility data for the years affected. Basically, we re-calculated **free** and reduced eligibles for subsequent claims using the base year eligibility distribution and current claim enrollment. This is a valid methodology in that it is based on a primary criterion for approving a Provision 2 school... a student population that is demographically stable from year to year.

The corrected free and reduced eligibility percentage for Yeshiva Yesode Hatorah for May 2000 is **63.6%**. Percentages for all schools and for all claim months from September 1998 to the present are available on the CNMS website at <http://www.nysed.gov/cn/cnms.htm>. Go to **Reports** on the Home page and select **Eligibles to Enrollment Report**. Then click on **Help** for instructions on retrieving information.

I trust that this will resolve the issue regarding your E-rate application. Please don't hesitate to contact me for additional assistance at 518-474-6016 and rconnell@mail.nysed.gov.

Yeshiva Tzemach Tzadik Viznitz
186-88 Ross Street
Brooklyn, NY 11211
718-782-6383

March 20, 2002

Letter of Appeal
Schools and Libraries Division
Box 125 –Correspondence Unit
EO South Jefferson Road
Whippany, NJ 07981

Letter Of Appeal

Entity #: 156405
Application # 256095
Funding Year: 7/1/01-6/30/02

The following is an appeal of the funding commitment for Application Number 256095

RE: Funding Request Numbers: 639136,639171,639193,639246,639283,and 639324

The Funding Request Numbers referred to above had funding modified with the explanation that "The site-specific discount was corrected".

RE: Funding Request Numbers: 639365, 639392, 639413,639452, and 639477.

The Funding Request Numbers referred to above were denied funding with the explanation that "The site-specific discount was corrected, and Funding cap will not provide for internal Connections < 90 % discount to be funded. Please see WWW.SL.UNIVERSALSERVICE.ORG for further details".

Please see the attached report from the New York State Education Department Child Nutrition Management System, which shows that in January 2001 we had a total of 57.7% of our students eligible for and participating in free or reduced lunch

Since as indicated by the attached report our school had greater than 75% of our students qualifying for free or reduced lunch, we request that new funding commitment letters be issued with our school qualifying for a 90% discount and that our internal connection funding requests be increased

Respectfully Yours,



Authorized Signature



Comparison of Free/Reduced Lunch Eligibles to Enrollment

331400229425

All Agency Types Included

Include % Greater Than 0

January 2001

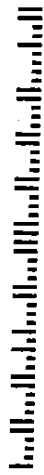
School Food Authority	LEA Code	Enrollment	Free		Reduced		Total
			Eligibles	%	Eligibles	%	
Yeshiva Tzemach Tzadik Viznitz	331400229425	176	172	97.7	0	0	97.7
Yeshiva Tzemach Tzadik Viznitz	331400229415	176	172	97.7	0	0	97.7
Brooklyn County Total		176	172	97.7	0	0	97.7
Total		176	172	97.7	0	0	97.7

[Return to Query](#)

USAC

Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981

00345
YESHIVA TZEMACH TZADIK VIZNITZ
Rabbi Steinmetz
186-88 ROSS STREET
BROOKLYN, NY 11211





Universal Service Administrative Company

Schools & Libraries Division

FUNDING COMMITMENT DECISION LETTER

(Funding Year 4: 07/01/2001 - 06/30/2002)

January 25, 2002

YESHIVA TZEMACH TZADIK VIZNITZ
Rabbi Steinmetz
186-88 ROSS STREET
BROOKLYN, NY 11211

Re: Form 471 Application Number: **256095**
Funding Year 4: **07/01/2001 - 06/30/2002**
Billed Entity Number: **156405**

Thank you for your 2001-2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

NEXT STEPS

Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to **begin** payment to your service provider and provides certified indication that your technology plan(s) has been approved. The Form 486 and instructions can be found on the SLD web site at <www.sl.universalservice.org> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The new Form 486, dated July 2001 in the lower right corner, **MUST** be used for Funding Year 4 and for any previous funding years. Subsequent submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can begin processing invoices from your service provider(s) so they can be reimbursed for discounted services they have provided you.

On December 21, 2000, the Children's Internet Protection Act was signed into law. That law will require schools and libraries that receive Universal Service discounts for certain services to adopt an Internet safety policy incorporating the use of filtering or blocking technology on computers with Internet access as a condition of receiving those discounts. THE LAW DOES NOT, HOWEVER, REQUIRE THIS TO BE IN PLACE FOR FUNDING YEAR 4. RECIPIENTS WILL HAVE TO CERTIFY, HOWEVER, THAT THEY ARE UNDERTAKING SUCH ACTIONS, INCLUDING NECESSARY PROCUREMENT PROCEDURES, TO PUT SUCH TECHNOLOGY PROTECTION MEASURES IN PLACE. For Funding Year 4 (the Funding Year beginning July 1, 2001), Billed Entities filing Form(s) 486 may encounter one or more situations that will affect their filing deadline(s). See the requirements for Funding Year 4 below and the Form 486

Instructions for more information on filing deadlines to ensure that your discounts can be paid retroactively to the Service Start Date. You are advised to keep proof of the date of mailing.

1. If Funding Year 4 services start on or before Sunday, October 28, 2001, and the date of your Funding Commitment Decision Letter is before Sunday, October 28, 2001, your Form 486 must be postmarked on or before October 28, 2001 in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this certification deadline will result in reduced funding.
2. If your services start after October 28, 2001, your Form 486 must be postmarked no later than 120 days after the Service Start Date or 120 days after the date of the Funding Commitment Decision Letter, whichever is later, in order for discounts to be paid retroactively to the Service Start Date. Failure to meet this filing deadline will result in reduced funding.

You may also check the SLD web site at <www.sl.universalservice.org> or call the Client Service Bureau at 1-888-203-8100 for more information about how this new law might impact universal service discounts and any needed documentation for Funding Year 4 (July 1, 2001-June 30, 2002).

TO APPEAL THESE FUNDING COMMITMENT DECISIONS

If you wish to appeal the Funding Commitment Decision(s) (FCD) indicated in this letter, your appeal must be made in writing and RECEIVED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD) at the SLD address below WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us
2. State outright that your letter is an appeal. Identify which FCD Letter you are appealing. Indicate the relevant funding year and the date of the Funding Commitment Decision Letter. Your letter of appeal must also include the applicant name, the Form 471 Application Number, and the Billed Entity Number from the top of your FCD Letter.
3. Identify the particular Funding Request Number (FRN) that is the subject of your appeal. When explaining your appeal, include the precise language or text from the Funding Commitment Decision Letter that is at the heart of your appeal. By pointing us to the exact words that give rise to your appeal, the SLD will be able to more readily understand and respond appropriately to your appeal. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

Please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. New options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site <www.sl.universalservice.org>.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC): FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Services, check the SLD web site for more information. You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be made in writing and RECEIVED BY THE FCC at the FCC address above WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference area of the SLD web site <www.sl.universalservice.org>.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not

limited to that by SLD, the Applicant, or Service Provider, and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel these funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

We look forward to continuing our work with you on connecting our schools and libraries through advanced telecommunications services.

Sincerely,

Schools and Libraries Division
Universal Service Administrative Company

Enclosures

A GUIDE TO THE FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each E-rate funding request from your application. We are providing the following definitions.

FUNDING REQUEST NUMBER (FRN): A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to Applicants and Service Providers the status of individual discount funding requests submitted on a Form 471.

FUNDING STATUS: Each FRN will have one of three definitions: "Funded," "Not Funded," or "As Yet Unfunded."

1. An FRN that is "Funded" will be approved at the level that SLD determined is appropriate for that item. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds will be committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision," and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funds in the Universal Service Fund was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for internal connections at a particular discount level. For example, if your application included requests for discounts on both telecommunications services and internal connections, you might receive a letter with our funding commitment for your telecommunications funding requests and a message that your internal connections requests are "As Yet Unfunded." You would receive a subsequent letter(s) regarding the funding decision on your internal connections requests.

SERVICES ORDERED: The type of service ordered from the service provider, as shown on Form 471.

SPIN (Service Provider Identification Number): A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support programs. A SPIN is also used to verify delivery of services and to arrange for payment.

SERVICE PROVIDER NAME: The legal name of the service provider.

CONTRACT NUMBER: The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.

BILLING ACCOUNT NUMBER: The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on Form 471.

EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT: The first possible date of service for which the SLD will reimburse service providers for the discounts for the service.

CONTRACT EXPIRATION DATE: The date the contract expires. This will be present only if a contract expiration date was provided on Form 471.

SITE IDENTIFIER: The Entity Number listed in Form 471, Block 5, Item 22a will be listed. This will appear only for "site specific" FRNs.

PRE-DISCOUNT AMOUNT: Amount in Form 471, Block 5, Item 23, Column I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: This is the discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION. This represents the total amount of funding that the SLD has reserved to reimburse service providers for the approved discounts for this service through June 30, 2002. It is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry may amplify the comments in the
"Funding Commitment Decision" area.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 256095
Funding Request Number: 639136 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143001359 Service Provider Name: Verizon- New York Inc.
Contract Number: MIM
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$4,800.00
Discount Percentage Approved by the SLD: 80%
Funding Commitment Decision: \$3,840.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

Funding Request Number: 639171 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143004056 Service Provider Name: American Long Lines, Inc.
Contract Number: MIM
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$2,520.00
Discount Percentage Approved by the SLD: 80%
Funding Commitment Decision: \$2,016.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

Funding Request Number: 639193 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143000890 Service Provider Name: Nextel of New York
Contract Number: MIM
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$5,400.00
Discount Percentage Approved by the SLD: 80%
Funding Commitment Decision: \$4,320.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

Funding Request Number: 639246 Funding Status: Funded
Services Ordered: Telecommunications Service
SPIN: 143001359 Service Provider Name: Verizon- New York Inc.
Contract Number: MIM
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$1,400.00
Discount Percentage Approved by the SLD: 80%
Funding Commitment Decision: \$1,120.00 - FRN approved; modified by SLD
Funding Commitment Decision Explanation: The site-specific discount was corrected.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 256095
 Funding Request Number: 639283 Funding Status: Funded
 Services Ordered: Telecommunications Service
 SPIN: 143000890 Service Provider Name: Nextel of New York
 Contract Number: MM
 Billing Account Number: 7187826383
 Earliest Possible Effective Date of Discount: 07/01/2001
 Contract Expiration Date: 06/30/2002
 Site Identifier: 156405
 Pre-Discount Amount: \$35.04
 Discount Percentage Approved by the SLD: 80%
 Funding Commitment Decision: \$28.03 - ERN approved; modified by SLD
 Funding Commitment Decision Explanation: The estimated monthly charge was changed to reflect the documentation provided by and discussed with the applicant. The site-specific discount was corrected.

Funding Request Number: 639324 Funding Status: Funded
 Services Ordered: Telecommunications Service
 SPIN: 143000890 Service Provider Name: Nextel of New York
 Contract Number: MM
 Billing Account Number: 7187826383
 Earliest Possible Effective Date of Discount: 07/01/2001
 Contract Expiration Date: 06/30/2002
 Site Identifier: 156405
 Pre-Discount Amount: \$4,900.00
 Discount Percentage Approved by the SLD: 80%
 Funding Commitment Decision: \$3,920.00 - ERN approved; modified by SLD
 Funding Commitment Decision Explanation: The site-specific discount was corrected.

Funding Request Number: 639365 Funding Status: Not Funded
 Services Ordered: Internal Connections
 SPIN: 143020829 Service Provider Name: Future Education Technology, Inc.
 Contract Number: YR47187826383
 Billing Account Number: 7187826383
 Earliest Possible Effective Date of Discount: 07/01/2001
 Contract Expiration Date: 06/30/2002
 Site Identifier: 156405
 Pre-Discount Amount: \$23,270.00
 Discount Percentage Approved by the SLD: N/A
 Funding Commitment Decision: \$0.00 - Srvce/Discount will NOT be funded
 Funding Commitment Decision Explanation: The site-specific discount was corrected.
 Funding cap will not provide for Internal Connections < 90 % discount to be funded.
 Please see WWW.SL.UNIVERSALSERVICE.ORG for further details.

Funding Request Number: 639392 Funding Status: Not Funded
 Services Ordered: Internal Connections
 SPIN: 143020829 Service Provider Name: Future Education Technology, Inc.
 Contract Number: YR47187826383
 Billing Account Number: 7187826383
 Earliest Possible Effective Date of Discount: 07/01/2001
 Contract Expiration Date: 06/30/2002
 Site Identifier: 156405
 Pre-Discount Amount: \$14,375.00
 Discount Percentage Approved by the SLD: N/A
 Funding Commitment Decision: \$0.00 - Srvce/Discount will NOT be funded
 Funding Commitment Decision Explanation: The site-specific discount was corrected.
 Funding cap will not provide for Internal Connections < 90 % discount to be funded.
 Please see WWW.SL.UNIVERSALSERVICE.ORG for further details.

FUNDING COMMITMENT REPORT

Form 471 Application Number: 256095
Funding Request Number: 639413 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143020829 Service Provider Name: Future Education Technology, I
Contract Number: YR47187826383
Billing Account Number: 71878263863
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$7,615.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$8.00 - Srvc/Discount will NOT be funded
Funding Commitment Decision Explanation: The site-specific discount was corrected.
Funding cap will not provide for Internal Connections < 90 % discount to be funded.
Please see WWW.SL.UNIVERSALSERVICE.ORG for further details.

Funding Request Number: 639452 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143020829 Service Provider Name: Future Education Technology, I
Contract Number: YR47187826383
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$9,785.00
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$8.00 - Srvc/Discount will NOT be funded
Funding Commitment Decision Explanation: The site-specific discount was corrected.
Funding cap will not provide for Internal Connections < 90 % discount to be funded.
Please see WWW.SL.UNIVERSALSERVICE.ORG for further details.

Funding Request Number: 639477 Funding Status: Not Funded
Services Ordered: Internal Connections
SPIN: 143020829 Service Provider Name: Future Education Technology, I
Contract Number: YR47187826383
Billing Account Number: 7187826383
Earliest Possible Effective Date of Discount: 07/01/2001
Contract Expiration Date: 06/30/2002
Site Identifier: 156405
Pre-Discount Amount: \$7,564.50
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Srvc/Discount will NOT be funded
Funding Commitment Decision Explanation: The site-specific discount was corrected.
Funding cap will not provide for Internal Connections < 90 % discount to be funded.
Please see WWW.SL.UNIVERSALSERVICE.ORG for further details.



Box 125 – Correspondence Unit, 80 South Jefferson Road, Whippany, New Jersey 07981
Visit us online at: <http://www.sl.universalservice.org>

modified. New information can only be accepted on appeal if an error was committed by SLD, which is not the case. Consequently your appeal is denied

- You filed a Form 471 as an individual applicant seeking funding for internal connections for FRN 639365,639392,639413,639452 and 639477. The SLD determined that your discount eligibility is 80%. FCC rules require that where demand for funding exceeds available support, first priority be given to requests for telecommunications services and Internet access. *See* 47 C.F.R. §54.507(g)(1)(i). FCC rules further require that requests for internal connections be given second priority, and be funded only if funds remain after support has been provided for telecommunications and Internet access through all discount levels in a funding year. *See* 47 C.F.R. § 54.507(g)(1)(ii). Where demand for discounts for internal connections exceeds available support, FCC rules require that funding be allocated to the most economically disadvantaged schools as determined by the matrix at 47 C.F.R. § 54.505(c). *See* 47 C.F.R. § 54.507(g)(1)(ii). Pursuant to the matrix, funds are allocated first to applicants eligible for a 90 percent discount, then to schools eligible for an 80 percent discount, and in the same manner until no funds remain. *See* 47 C.F.R. § 54.507(g)(1)(ii)-(iii). Consequently, where demand for discounts for internal connections exceeds available support, funds are allocated first to applicants at the 90 percent discount level, and then at each descending single percentage until there are no remaining funds. *See* 47 C.F.R. § 54.507(g)(1)(iii). For Funding Year Four, there are not sufficient funds to provide internal connections discounts to applicants at your discount rate. Consequently, SLD denies your appeal because there is insufficient funding for Funding Year Four to provide discounts for internal connections requests to applicants that are below the 86% discount level.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12th Street SW, Washington, DC 20554. If you are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the **first** page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, www.sl.universalservice.org.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company